

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 16-0159 WHA

Plaintiff,

v.

**ORDER REGARDING MOTION  
TO COMPEL DISCOVERY**

STANISLAV PETROV AND MILAGRO  
MORAGA,

Defendants.

Defendant Stanislav Petrov made a formal motion to compel discovery of six categories of materials under Rule 16. At the hearing, defense counsel represented that progress had been made in resolving most of the discovery disputes. The judge asked counsel what items remained unresolved and still needed a ruling. Defense counsel then enumerated several items and the Court ruled on each one, granting some and denying others.

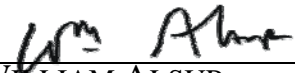
The Court ruled that the government must produce the following items: (1) the forensic reports regarding the seized firearm; (2) the request for the seized cell phones; (3) the reports of the Sacramento FBI that the government represented it had already produced but that defense counsel had not yet received. Petrov's motion to compel production of these items is **GRANTED.**

With respect to the request that the government conduct a "full and complete" investigation into whether Petrov was targeted for search and arrest in retaliation for his tort claim against the Alameda County Sheriff, the Court questioned the prosecutor and FBI agent

1 and is satisfied that no such retaliation is underway. The government need not make a further  
2 investigation into Alameda County records. Petrov's motion to compel with respect to this  
3 request is **DENIED**. If, however, any materials come to light suggesting a retaliatory motive,  
4 then these materials should be turned over to the defense.

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6 **IT IS SO ORDERED.**

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8 Dated: July 13, 2016.

  
9 WILLIAM ALSUP  
10 UNITED STATES DISTRICT JUDGE  
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